AMENDMENT UNDER 37 C.F.R. § 1.114(c) Attorney Docket No.: Q64175

U.S. Application No.: 09/848,225

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

Claims 1-6 (canceled).

7. (currently amended): A method of preparing a clear aqueous <u>cosmetic additive</u> composition suitable for use in cosmetics, said composition being free of an ionic surface active agent, being not irritating to the skin, and consisting essentially of 1.0 to 5.0% by weight of a ceramide represented by formula (I):

wherein R_1 represents a hydrocarbon group selected from the group consisting of nonanyl, decanyl, undecanyl, dodecanyl, tridecanyl, tetradecanyl, pentadecanyl, hexadecanyl, heptadecanyl and octadecanyl; and R_2 represents a substituted acyl group having 14 to 30 carbon atoms wherein the substituent on R_2 is a hydroxyl group.

optionally in combination with a ceramide of formula (III)

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wherein R_3 represents a hydrocarbon group selected from the group consisting of nonanyl, decanyl, undecanyl, dodecanyl, tridecanyl, tetradecanyl, pentadecanyl, hexadecanyl, and heptadecanyl; and R_4 represents an acyl group having 2 to 30 carbon atoms which can contain a hydroxyl group,

said method comprising:

forming a lipid composition consisting essentially of (A) said ceramide, (B) a long-chain fatty acid having 12 to 24 carbon atoms, and (C) a nonionic lipophilic or hydrophilic surface active agent, and (E) optionally a sterol compound, wherein components (A), (B), (C) and optionally (E) are uniformly mixed while heating at 80 to 120°C to accomplish said-forming form the lipid composition;

and then adding (F) a polyhydric alcohol which has been heated to 80 to 120°C to the lipid composition and mixing components (A), (B), (C) and optionally (E) with the (F) polyhydric alcohol while heating, and

thereafter further adding water which has been heated to 80 to $100^{\circ}C_{7,\underline{i}}$ and then permitting the resulting mixture to cool to room temperature.

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Claims 8-11 (Canceled)

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- (previously presented) The method of claim 15, wherein the long-chain fatty acid is at least one of isostearic acid and oleic acid.
- (previously presented) The method of claim 15, wherein the non-ionic surface active agent is a polyoxyethylene hydrogenated castor oil.
- 14. (previously presented) The method of claim 15, wherein there is further added to the water and the lipid composition cholesterol.
- 15. (previously presented) The method of claim 7, wherein said ceramide represented by formula (I) is an optically active ceramide of natural type represented by formula (II):

optionally in combination with a ceramide of formula (IV)

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wherein R₁, R₂, R₃ and R₄ are as defined in claim 7.

- (previously presented) The method of claim 15, wherein the long-chain fatty acid is isostearic acid and oleic acid in combination.
- 17. (previously presented) The method of claim 16, wherein the non-ionic surface active agent is a polyoxyethylene hydrogenated castor oil and wherein there is further added to the water and the lipid composition cholesterol.
- 18. (previously presented) The method of claim 15, wherein the compound represented by formula (II) is selected from the group consisting of:

(2S, 3R)-2-(2-hydroxyhexadecanoyl) aminooctadecane-1,3-diol,

(2S,3R)-2-(3-hydroxyhexadecanoyl) aminooctadecane-1,3-diol, and

(2S,3R)-2-(2-hydroxyhexadecanoyl)aminohexadecane-1,3-diol.

 (previously presented) The method according to claim 15, wherein the compound of formula (IV) is (2S, 3R)-2-octadecanoylaminooctadecane-1,3-diol. AMENDMENT UNDER 37 C.F.R. § 1.114(c) Attorney Docket No.: Q64175 U.S. Application No.: 09/848,225

20. (previously presented) The method according to claim 17, wherein the compound

of formula (IV) is (2S, 3R)-2-octadecanoylaminooctadecane-1,3-diol.

- (previously presented) The method according to claim 15, wherein the compound of formula (II) is (2S, 3R)-2-(2-hydroxyhexadecanoyl) aminooctadecane-1,3-diol.
- (previously presented) The method according to claim 17, wherein the compound
 of formula (II) is (2S, 3R)-2-(2-hydroxyhexadecanoyl) aminooctadecane-1,3-diol.
- (previously presented) The method according to claim 15, wherein the compound of formula (II) is (2S,3R)-2-(3-hydroxyhexadecanoyl) aminooctadecane-1,3-diol.
- 24. (previously presented) The method according to claim 17, wherein the compound of formula (II) is (2S,3R)-2-(3-hydroxyhexadecanoyl) aminooctadecane-1,3-diol.
- (previously presented) The method according to claim 15, wherein the compound of formula (II) is (2S,3R)-2-(2-hydroxyhexadecanoyl)aminohexadecane-1,3-diol.
- (previously presented) The method according to claim 17, wherein the compound of formula (II) is (2S,3R)-2-(2-hydroxyhexadecanoyl)aminohexadecane-1,3-diol.

- 27. (previously presented) The method of claim 15, wherein the compound represented by formula (IV) is selected from the group consisting of:
 - (2S, 3R)-2-tetradecanoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-hexadecanoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-octadecanoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-nonadecanoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-eicosanoylaminooctadecane-1,3-diol,
 - (2S,3R)-2-oleoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-linoleoylaminooctadecane-1,3-diol,
 - (2S, 3R)-2-tetradecanoylaminohexadecane-1,3-diol,
 - (2S, 3R)-2-hexadecanoylamiohexadecane-1,3-diol,
 - (2S, 3R)-2-octadecanoylaminohexadecane-1,3-diol,
 - (2S, 3R)-2-nonadecanoylaminohexadecane-1,3-diol,
 - $(2S,\,3R)\hbox{-}2\hbox{-}eicosanoylaminohexadecane-1,3-diol,}$
 - (2S, 3R)-2-oleoylaminohexadecane-1,3-diol, and
 - (2S,3R)-2-linoleoylaminohexadecane-1,3-diol.
- (previously presented): The method of claim 7, wherein the composition comprises the ceramide of formula (III).

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29. (previously presented): The method of claim 15, wherein the composition comprises the ceramide of formula (IV).

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